
Environmental Health Committee

SSB 5199

Brief Description: Modifying provisions regarding the operators of public water supply systems.

Sponsors: Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Morton, Rockefeller and Shin; by request of Department of Health).

Brief Summary of Substitute Bill

- Clarifies the authority to certify and revoke or suspend certification for backflow assembly testers and cross-connection control specialists working with public water systems.

Hearing Date: 3/18/09

Staff: Pam Madson (786-7111)

Background:

Operators of a public water system must be certified if the system serves 15 or more connections or serves an average of 25 or more people during a 60-day period in a year. A public water system is a system providing piped water for human consumption including collection, treatment, storage, or distribution facilities. A certified operator is the person in charge of the technical operation of the system or a major part of the system.

Any examination required for certification must be offered in each region in which the Department of Health (DOH) has a regional office. A certificate may be revoked, after a hearing, if the certificate was obtained by fraud, if the operator commits gross negligence in the operation of a purification plant or distribution system, or if the operator violates laws on water system operation or rules or orders of the DOH.

A cross-connection is a physical link between a drinking water system and a potential source of contamination. Backflow conditions can occur when pressure in the system is such that water

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

from a potential source of contamination is introduced into the public water system. Cross-connection control programs are required for public drinking water systems to prevent this from occurring. Backflow preventers are used to help isolate potential sources of contamination. Under the Uniform Plumbing Code, homeowners must install backflow preventers to protect the homeowner's plumbing system from contamination.

The definition of a Group A water system in state law is not consistent with the definition in the federal Safe Drinking Water Act. The state definition excludes a system that serves fewer than 15 residences regardless of the number of people served. This is not consistent with that portion of the definition that includes a system that serves an average of 25 or more people per day regardless of the number of service connections. A system could have fewer than 15 connections but serve more than 25 people.

Summary of Bill:

The operators of a public water system must be certified, including backflow assembly testers and cross-connection control specialists.

Any examination required for certification must be offered in both eastern and western Washington.

The Secretary of the DOH may revoke or suspend an operator's certificate for fraudulently obtaining it, for committing gross negligence in operating a public water system, for fraud or gross negligence inspecting, testing, maintenance, or repair of backflow assemblies, devices, or air gaps intended to protect a public water system from contamination, or for intentionally violating laws on water system operation or rules or orders of the DOH.

Reference to the exclusion of a water system serving fewer than 15 residences is removed from the definition of a Group A water system, making the state definition consistent with federal law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.